



## **Virginia Indian Advisory Board**

### **Board Meeting**

Tuesday, October 25, 2022

4:00 pm – 5:00pm

Mechanicsville Branch Library  
7461 Sherwood Crossing Pl,  
Mechanicsville, VA 23111

This meeting of the Virginia Indian Advisory Board was held in-person with a quorum present.

### **Board members attending in person:**

Brandon Custalow, Chair  
Cami Adkins  
Jillian Balow  
Dr. Gregg Kimball  
Julie Langan  
Dr. Ashley Spivey

### **I. Welcome**

Chair Brandon Custalow welcomed Board members, representatives of the Secretary of the Commonwealth's office, and guests including members of the Wolf Creek Cherokee Tribe. Gloria Senecal, representing the Secretary of the Commonwealth, was in attendance. Board member Young Brinson attended virtually.

### **II. Call to Order**

VIAB Chair Custalow called the meeting to order at 4:09 pm and moved to the approval of the minutes and meeting agenda.

### **III. Approval of Minutes and Agenda**

Chair Custalow asked if anyone had questions about the minutes of the March meeting that had been distributed electronically. Ms. Langan moved that they be approved and Dr. Spivey seconded the motion. The minutes were approved unanimously. Chair Custalow asked if anyone had changes to the proposed agenda. Hearing none, Dr. Kimball moved approval of the agenda; the motion was seconded by Dr. Spivey and approved unanimously.



Since this was Superintendent of Public Instruction Balow's first board meeting, Chair Custalow provided her with a brief overview of the Board's and Workgroup's responsibilities and the process of reviewing petitions for recognition.

#### **IV. Update from VIAB Workgroup**

Because no member of the Recognition Workgroup attended, Board members who virtually attended the October 17, 2022, Workgroup meeting gave their impressions of the meeting while emphasizing that they did not speak for the Workgroup. The major points were:

- The Workgroup has reached consensus on several of the recognition criteria
- There are a few criteria where Workgroup members may disagree
- Workgroup chair Dr. Woodard assigned the reports on each criterion to specific group members
- the report is on track to be delivered by the established deadline

Dr. Spivey asked about the structure of the report. Dr. Kimball responded that the Workgroup agreed on 1) an executive summary; 2) sections focused on the six criteria; and 3) any useful appendices that go beyond the exhibits and documents submitted by the petitioners (for example, genealogical charts.)

#### **V. Discussion: State Recognition Workgroup Progress**

##### **a. Expectations for Recommendation from WorkGroup**

Dr. Spivey stated (and other board members agreed) that the Workgroup should vote on each recognition criterion and give us a firm recommendation for each as well as an overall recommendation. Chair Custalow will communicate that directive to the Workgroup.

Dr. Kimball asked whether a determination had been made regarding a meeting in executive session requested by the applicants with the Workgroup (See more below, in Public Comment.) We learned that the Secretary of the Commonwealth had communicated with the Attorney General's office regarding this question. Several Board members suggested that the Board should be assigned a standing legal counsel.

#### **VI. Public Comment**

Ms. Annette Price clarified that William Herd, the applicant's legal counsel, has requested a meeting with both the Board and Workgroup.

#### **VII. Closing remarks and Adjournment**

The Board will look at Nov. 15<sup>th</sup> or 22<sup>nd</sup> for our next meeting. Dr. Kimball suggested that the Board might consider drafting and approving a policy for virtual meetings and attendance based on legislation passed in the last General Assembly. He will send several examples to the Secretary of the Commonwealth's office and the Chair.



The Board discussed the need to meet after the current recognition process has concluded to consider possible changes to the process and the language of the criteria.

Chair Custalow asked for a motion to adjourn which was made by Dr. Kimball, seconded by Ms. Adkins, and unanimously approved. The meeting was adjourned at approximately 4:55 pm.